
42 C.F.R. § 424.62

Payment after beneficiary's death: Bill has been paid.

- (a) *Scope.* This section specifies the persons whom Medicare pays, and the conditions for payments, when the beneficiary has died and the bill has been paid.
- (b) *Situation.* (1) The beneficiary has received covered services for which he could receive direct payment under § 424.53.
- (2) The beneficiary died without receiving Medicare payment.
- (3) The bill has been paid.
- (c) *Persons whom Medicare pays.* In the situation described in paragraph (b) of this section, Medicare pays the following persons in the specified circumstances:
- (1) The person or persons who, without a legal obligation to do so, paid for the services with their own funds, before or after the beneficiary's death.
- (2) The legal representative of the beneficiary's estate if the services were paid for by the beneficiary before he or she died, or with funds from the estate.
- (3) If the deceased beneficiary or his or her estate paid for the services and no legal representative of the estate has been appointed, the survivors, in the following order of priority:

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